



# CSCE Digest

The  
Commission  
on  
Security  
and  
Cooperation  
in  
Europe

VOLUME 23  
NUMBER 1

January 2000

Contents

Turkmenistan's  
human rights to  
be examined 3

Commission  
publication now  
available 3

Azerbaijan: bad  
and good news  
by Michael Ochs  
& Karen Lord 4

The Vienna view  
by Janice Helwig 6

Croatian elections  
improved, produce  
change  
by Bob Hand 8

Commission  
initiative on  
combatting  
corruption  
advanced  
by Marlene  
Kaufmann 9

Romani human  
rights raised in  
Istanbul summit  
documents  
by Erika B.  
Schlager 10



*Jordan's Acting Foreign Minister Nasser Lawz addresses the seminar*

## Mediterranean Seminar emphasizes coordination and tolerance

*by Chadwick R. Gore*

The Mediterranean Seminar of the Organization for Security and Cooperation in Europe, "Implementation of Human Dimension Commitments," was held in Amman, Jordan December 6-7, 1999.

Delegations from thirty-nine countries, including participating States, Partners for Cooperation and all of the Mediterranean partners—Jordan, Israel, Egypt, Tunisia, Algeria and Morocco, and various OSCE officials discussed the human dimension of security, reviewed OSCE field operations and evaluated the development and direction of the Mediterranean partnership.

The Council of Europe, UNESCO, UNHCR, NATO and the International Committee of the Red Cross also participated, along with Human Rights Watch and eight indigenous Jordanian NGOs.

The opening session was addressed by Jordan's Acting Foreign Minister Nasser Lawzi who said that Jordan highly values OSCE efforts to promote international awareness about the human dimension of security. "Jordan and the region know well the dangers of misunderstanding and misperceptions and how they could spiral out of control to the point where the only recourse is the gun," he said. Lawzi also noted the Jordanian need for greater freedoms and further liberalization, plus strengthened rule of law and increased protection of human rights. He also discussed issues affecting

*please turn to next page*

The *CSCE Digest* is published 12 times a year by The Commission on Security and Cooperation in Europe. Opinions and materials in the *CSCE Digest* do not necessarily reflect official views of the Commission or its Commissioners. Any maps used are for the convenience of the readers; the denominations used and the boundaries shown do not imply any judgement by the Commission on the legal status of any territory or any endorsement or acceptance of such boundaries. Material from the *Digest* may be reprinted, with due credit given. The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901 or check the web at [www.house.gov/csce/](http://www.house.gov/csce/).

refugees, the Arab-Israeli peace process and security threats caused by landmines.

The director of the OSCE Conflict Prevention Center, Marton Krasznai, stressed the importance of the organization's commitments to democracy building and human rights, citing that the OSCE commitments in the human dimension hinge on two main institutions: The Office for Democratic Institutions and Human Rights (ODIHR) and the Representative on Freedom of the Media who is entrusted with assisting the participating States in furthering free, independent and pluralistic media.

ODIHR's First Deputy Director Peter Eicher and Stanley Schrager, advisor to the Representative on Freedom of the Media, presented critical assessments of their institutions along with some constructive criticism.

Eicher concluded that the OSCE area is still dauntingly challenged by the lack of free and fair elections, equal protection of rights for women and men, religious freedom, and need to bring law enforcement within the rule of law. He said that the participating States must renew their commitments and again use their moral suasion to ingrain human rights more systematically into the mandates of the OSCE field missions and ODIHR projects.

Schrager discussed the challenges of establishing and protecting a free and independent media, and the challenges they face. He described how governments across the region are

harassing journalists through the use of jail or physical attack, controlling printing through taxation on paper and ink, controlling the distribution systems, and more.

In a session on "The Human Dimension: Risks and Challenges," Cairo's Al Bayt University President Adnan Bakhit railed against "Islamophobia" and xenophobia, charging that Europe, while home to between 15-20 million Arabs and Muslims, is still intolerant. "Europe understands Islam, but does not accept Muslims," he said. "On the other hand, Muslims accept Europe but do not understand it."

Many of the participants that addressed the seminar called for increased coordination among all international institutions and organizations involved in the Mediterranean region. It was a commonly held view as well that the human dimension of security must become more prominent in Mediterranean policies, and that since current plans and strategies by international organizations and national governments are so poorly coordinated in human rights and freedoms and democratic institution building, the resulting ethnic and religious tensions are holding the region back.

The event was co-hosted by the Jordan Institute of Diplomacy with the Foreign Ministry and the support of the Canadian Foreign Ministry. □

## Turkmenistan's human rights to be examined



*The Commission will hold a hearing on Human Rights in Turkmenistan on March 21. The ruins of a Seventh Day Adventist Church bulldozed by the Government of Turkmenistan in Ashgabat.*

### Commission publications now available

The following documents are now posted on the Commission web site and are available in print. Publications can be found on the website at <http://www.house.gov/csce/> in the "Publications" section. If you are interested in obtaining a printed copy of a publication, please e-mail your request to [csce@mail.house.gov](mailto:csce@mail.house.gov) or write to: CSCE, 234 Ford House Office Building, Washington, DC 20515.

Hearing: Atrocities and the Humanitarian Crisis in Kosovo (April 6, 1999)

Report: The 1999 OSCE Supplementary Human Dimension Meetings

Hearing: The Trafficking of Women and Children in the United States and Europe (June 28, 1999)

Report: Macedonia's Presidential Election (October 31 and November 14/December 5, 1999)

Report: The OSCE/ODHIR Seminar Human Rights: The Role of Field Missions (April 1999)

Briefing: Bosnia, Croatia, Macedonia & Serbia: Electoral and Political Outlook for 1999 (June)

Hearing: Religious Freedom in Western Europe: Religious Minorities  
and Growing Government Intolerance (June 8, 1999)



## Azerbaijan: bad news and good news

*Michael Ochs and Karen Lord*

On December 12, Azerbaijan held its first local elections since gaining independence. The vote had been delayed for two years; the November 1995 constitution stipulated that they should be held within two years. Authorities maintained the country was not yet ready to organize elections to local councils all over the country; opposition parties attributed the delay to worries by officials about their ability to rig the vote on such a large scale—especially in the countryside, where economic conditions are so bad and discontent is presumably growing.

Generally, Azerbaijan's record on holding elections is awful. Since 1995, Baku has not held an election which the OSCE's ODIHR (Office for Democratic Institutions and Human Rights) has assessed as meeting OSCE standards. Azerbaijan's 1995 parliamentary election was an obviously unfair contest, in which Mussavat, one of the leading opposition parties, was excluded by the CEC (Central Election Commission). On voting day, when election officials saw turnout would not meet the required 50 percent, they unceremoniously threw observers out of polling stations and stuffed the ballot boxes. In 1998, President Heydar Aliev ran for reelection. Most opposition leaders boycotted, convinced they would not be allowed to compete on an equal basis. But Etibar Mamedov, leader of the opposition

Party of National Independence, did run and waged an effective campaign. Nevertheless, according to the official results, he only got 12 percent. Azerbaijan's constitution requires candidates for the presidency to win two-thirds of the vote; the CEC announced President Aliev received 76 percent. Mamedov, whose observers had copies of election protocols from precincts all over the country showing their candidate had done much bet-

as did the unregistered Democratic Party, whose Co-Chairman, former Speaker of Parliament Rasul Guliev, left Azerbaijan in 1996 and has been living in New York ever since. Mussavat and the Popular Front, however, decided to participate. From the very beginning, they encountered considerable obstructionism from election officials, who favored candidates from President Aliev's ruling Yeni Azerbaijan party. Ultimately,

opposition parties managed to register only about 5,000 candidates for 21,000 seats in local councils.

The OSCE/ODIHR generally does not observe local elections and sent no monitors to Azerbaijan. But the Council of Europe, to which Az-

erbaijan and Armenia have applied for admission, dispatched a group of observers. According to representatives of Western NGOs who spent time with the delegation, its members arrived in Baku inclined to give Azerbaijan a passing grade. After watching the voting and counting process, however, they grew so suspicious of the authorities that they even refused to use the CEC's interpreter. Their assessment, especially considering that the Council of Europe generally is more lenient than the OSCE/ODIHR, was remarkably harsh. The delegation saw enough ballot stuffing and discrepancies between the number of signatures on voter lists and the

**Azerbaijan's poor local election is only one aspect of a troubling human rights situation.**

ter, refused to accept the humiliating outcome; naturally, so did the boycotting opposition leaders. The CEC has never published the election protocols from precincts—a sign that the level of falsification was apparently too high to explain away. (In fact, the CEC has never published many protocols from the 1995 election.) In a post-election letter to President Aliev, President Clinton stressed the need to change the composition of the CEC.

The CEC, however, has remained unreformed. Against this background, the opposition approached the 1999 local elections with little hope of a fair contest. Mamedov's party boycotted,

number of ballots in ballot boxes to conclude the violations could have affected the outcome. Particularly striking was the sentence in the delegation's statement noting that Azerbaijan's national security actually depends on the holding of good elections.

In fact, almost two months after the voting, the CEC has still not released any official results. According to the election law, information was supposed to be available within one month, i.e., January 12.

The course and outcome of Azerbaijan's local elections have five important implications. First, the CoE's judgement obviously undercuts Azerbaijan's hopes of entering the Council. This is all the more embarrassing, considering that neighboring Georgia joined in 1999 and Armenia, with which Azerbaijan is engaged in a public relations competition, as well as a conflict over Nagorno-Karabakh, could well be accepted this year. Second, Azerbaijan's chances of joining the Council depend to an even greater extent on the critical parliamentary election this fall; third, after three poor elections since 1995, Azerbaijan's record is even worse than before, which means opposition parties are even more distrustful of the authorities (if that is possible); fourth, from the point of view of Azerbaijan's opposition, there are now no legitimate government institutions in the country on any level; finally, considering the importance of the elections to parliament—which President Aliev wants to ensure is packed with supporters of his son, whom Aliev wants to succeed him—the chances of a free and fair contest this fall grow even smaller.

Azerbaijan's poor local election is only one aspect of a troubling human rights situation. Human Rights Watch/Helsinki released a report last

year on endemic torture in prisons. Azerbaijan's Ministry of Justice is trying to keep lawyers who have defended opposition activists from practicing their profession. Independent Radio-TV Sara was closed last October, and the authorities want to confiscate the station's assets. Meanwhile, President Aliev is considering whether to sign a new media law which threatens to restrict freedom of expression.

On one front, however, there has been some progress: religious liberty. Various Protestant churches had experienced difficulties in gaining registration, which Azerbaijan's Islamic establishment, as well as the Ministry of Justice, have opposed. But on November 8, during a meeting with U.S. Ambassador Stanley Escudero, President Aliev publicly reaffirmed Azerbaijan's commitment to religious freedom, pledged to redress recent problems faced by minority religious groups, and gave assurances there would be no further religious liberty violations in Azerbaijan. In a statement carried by state media, Aliev said, "I have vigorously warned administrative bodies of the fact that arbitrariness on such issues is inconceivable. One cannot restrict freedom of conscience and creed."

The U.S. Embassy in Baku reports that the courts have set aside the deportation orders for foreign Christians, and the Garadag Gas Plant has reinstated the jobs of Jehovah's Witnesses fired in September. The German Lutheran Church, which was barred from holding services due to an internal split in which governmental authorities supported one side, have been meeting since January 2000. In addition, applications for registration by the Cathedral of Praise and the Nehemiah Church, both of

which had been pending for more than a year with the Ministry of Justice, were approved in the second and third weeks of December. The Jehovah's Witnesses received registration in January 2000. Azerbaijani authorities also issued visas for a German Lutheran pastor and a Polish Catholic priest to continue serving their respective congregations in Baku.

President Aliev's public statement on behalf of freedom of conscience, in a conversation with the U.S. Ambassador, indicates that he does not wish to have this item on the agenda of bilateral U.S.-Azerbaijani relations. The recent decisions by the Ministry of Justice to register various congregations' events reinforce the reality that improvements in the human rights situation depend on a clear directive from President Aliev to change government policy. A holdover mentality favoring state controls lingers in the bureaucracy from the Soviet era, which undoubtedly causes and exacerbates the numerous obstacles encountered by religious groups seeking registration.

The Helsinki Commission continues to watch these developments carefully, to see how Azerbaijani authorities implement Aliev's statement and whether recent positive developments will lead to changes in laws on religious liberty. □

## The Vienna view

By Janice Helwig

The weekly meeting of the Permanent Council (PC) began 2000 by receiving the new Chairman-in-Office (CiO), Austrian Foreign Minister Schuessel (he was replaced as Chairman-in-Office by Foreign Minister Ferrero-Waldner in early February with the installment of a new Austrian Government). Schuessel laid out Austria's priorities for its Chairmanship; these include significant progress in refugee returns (particularly in the former Yugoslavia), supporting a functioning Stability Pact for the Balkans, working towards political, not military, solutions to the conflicts in the Caucasus, and holding free and fair elections in Kosovo and Bosnia and Herzegovina.

Focusing in his statement on the Caucasus, Schuessel said he envisaged a role similar to the one the OSCE is playing in Kosovo for the northern Caucasus, in accordance with the Istanbul Summit Declaration. Turning to the Former Republic of Yugoslavia (FRY), Schuessel noted that partnership with the FRY would help bring stability to the region, but cautioned that such cooperation is contingent on fundamental democratization, including a political leadership selected through free and fair elections. He stressed that the OSCE must continue to increase its involvement with Central Asia, including the broad range of issues—terrorism, extremism, drug and arms trafficking, and economic and environmental problems—that endanger security in the region.

Schuessel named the following special representatives of the CiO for various OSCE regions: Ambassador Albert Rohan (Austria) for South-eastern Europe; Ambassador Andrzej Kasprzyk (Poland) for the conflict in Nagorno-Karabakh; Ambassador Heidi Tagliavini (Switzerland) for the Caucasus; and Ambassador (and OSCE Secretary General) Jan Kubis for Central Asia.

measures to isolate and eliminate entrenched opposition to reform, which is sustained by crime, corruption, external interference, and manipulation.

The Human Rights Ombudsman for Bosnia & Herzegovina, Gret Haller, addressed the Permanent Council on January 27. Haller underscored the progress made to turn the office over to Bosnian nationals, but added that there is still a need to find a candidate to follow her as ombudsman this year. (Under the Dayton Agreement, the Ombudsman's mandate expires in December 2000; there is work underway on a new agreement which provides for an interim international ombudsman to serve through 2003 when the office would be turned over to a panel of three nationals).

Stability Pact Special Coordinator Bodo Hombach addressed the January 20 PC. He underscored the importance of a successful financing conference in March and noted that regional states must demonstrate a commitment to broad-based reform to merit financial assistance. International organizations, including the OSCE, must develop projects in close coordination with the Stability Pact. Hombach said the Stability Pact is open to a democratic FRY and will continue to meet with the Serbian opposition to discuss possible future projects.

Heads of the OSCE missions in Croatia and Kosovo also addressed the PC in January. The Head of the

### **Austria, as CiO, announced the topics for the 2000 Supplementary Human Dimension Meetings.**

**They will be:**

- **Human Rights and Inhumane Treatment or Punishment (March 27)**
- **Trafficking in Human Beings (June 19)**
- **Internal Displacement and Migration (September 18)**

Several other special guests addressed the Permanent Council. Special Representative of the Secretary General of the United Nations Jacques Klein reviewed UN activities in Bosnia & Herzegovina (UNMIBH). Klein said that the international community should work for inclusion of Bosnia into European structures and for increased assistance in job creation and housing reconstruction. UNMIBH has made real progress in the areas of police restructuring, police reform, and assessment of the judicial system. Further progress now depends on robust

Croatia Mission, Ambassador Poncet, provided an overview of developments in Croatia. Since his last appearance at the PC, President Tudjman passed away, parliamentary elections were held and won by the opposition, and presidential elections were scheduled. Poncet termed the January 3 parliamentary elections "peaceful and calm." However, a number of concerns remain, including Croatia's citizenship legislation, procedures to verify citizenship of refugees, and procedures for minority voting. The Head of Mission in Kosovo, Ambassador Everts, discussed the situation there and focused on work towards preparing for elections. The first focus is on registration, which the OSCE will do jointly with the United Nations. This will result in a combined civil and voter registration. The OSCE mission is currently staffing its election section in preparation for the upcoming work.

Another major issue raised repeatedly was Chechnya. The United States, EU, and Canada underscored the legitimate interest of the OSCE in the humanitarian and political aspects of the war in Chechnya, adding that Russia needs to honor its Istanbul commitments. They added that while Russia has the right to fight terrorism and maintain its territorial integrity, Moscow should stop indiscriminate attacks, ensure freedom of movement for internally displaced persons, and promote humanitarian relief. Russia repeatedly asserted that Chechnya is an internal Russian matter, and the OSCE should not be involved. Russia maintained that measures taken against terrorists are commensurate

with the threat, are not directed against civilians, and are fully in keeping with the Russian constitution and Russia's international commitments. In response to the conflict in Chechnya, the OSCE has augmented its mission in Georgia to monitor the Georgian border with Chechnya.

Several participating States raised subjects of concern in the PC. Belarus and its new electoral law was raised several times by the United States and the European Union. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) issued a negative analysis of the code. Drawing on this, the United States criticized the law for its failure to create transparency or a level playing field. Quoting at length from the ODIHR analysis, the United States pointed to provisions which could stack election commissions, restrict campaigning, and impose unrealistic requirements for candidate registration. Moreover, in passing the law, the Belarusian national assembly completely bypassed both the opposition and the OSCE-mediated roundtable, which has an agreed mandate from both sides to help negotiate a new electoral law. Belarus defended the law as having been carefully prepared and claimed that the opposition had refused to take part in discussion of the draft. The U.S. and the EU also raised more general concerns about repression in Belarus and pushed genuine dialogue with the opposition.

Several States also raised concerns about developments in Central Asia. At the January 13 PC, the EU, U.S. and Canada deplored the indefinite extension of Turkmen President

Niyazov's term of office as inconsistent with Turkmenistan's OSCE commitments. The U.S. further criticized arrests and mistreatment of dissidents and non-traditional religious believers. The EU asked that Turkmenistan officially announce it would still hold presidential elections as scheduled in 2002. (The EU tempered its criticism by welcoming Turkmenistan's abolition of the death penalty.)

Austria, as CiO, announced the topics for the 2000 Supplementary Human Dimension Meetings. They will be:

- Human Rights and Inhumane Treatment or Punishment (March 27)
- Trafficking in Human Beings (June 19)
- Internal Displacement and Migration (September 18)

All will be held in Vienna. In addition, following up on the Istanbul summit declaration decision, the PC affirmed that the annual ODIHR seminar for 2000 will be on "Children and Armed Conflict" and will be held in Warsaw, May 23-26.

All U.S. statements made at the Permanent Council are available on the website of the U.S. Mission to the OSCE <<http://www.osce.usia.co.at/>>.

□

## Croatian elections improved, produce change

by Bob Hand

Parliamentary elections were held in Croatia on January 3. The increased fairness in the election law, along with greater transparency in election administration, allowed opposition parties to win a majority. Almost a decade of nationalist, authoritarian rule by the Croatian Democratic Community (HDZ) of the late Croatian President, Franjo Tudjman, has ended.

After the first multi-party elections were held in Croatia in April 1990—when the HDZ defeated the League of Communists who had ruled Croatia since World War II—the HDZ maintained its grip on power through elections which fell far short of the free and fair standard established by the OSCE participating States. Legal limits were often stretched regarding the timing of the elections and the length of the campaign, and oddities like so-called “diaspora” seats were established while the number of seats reserved for the Serb minority were steadily cut. Election administration often lacked transparency, but by far the greatest obstacle was HDZ control of the state-run broadcast media and restrictiveness toward print media. This effectively meant that the HDZ would earlier have swayed the vote sufficiently in its favor that there was little need to commit outright fraud on election day.

The early January election was different for three principal reasons. First, Croatian society has become more confident in the country’s independence and territorial integrity, allowing for a social transition from traditional nationalism and acceptance of government corruption toward a desire for genuine economic progress.

Second, while many had regarded the lack of democracy in Croatia as a stability factor in the region, the OSCE Mission in Croatia, the U.S. Embassy and others began to press authorities more frequently on human rights and democratization issues. Third, opposition political parties were able to form two election coalitions, pressing for electoral reforms and minimizing competition among themselves.

**On election day, the transparency of the electoral system, including widespread observation by civic organizations and political parties, combined with such a strong desire for change that the will of the people could not be distorted.**

There were early signs, however, that electoral reforms and political changes would be resisted by those in power. They sought to schedule the elections around Christmas. In early December 1999, independent-minded Constitutional Court judges responsible for deciding appeals of election foul-play were replaced with HDZ appointees. Efforts to ensure appropriate proportional representation of the “diaspora” vote were thwarted by ambiguous treatment in the election law.

In an October 21, 1999, *Congressional Record* statement, Commission Chairman Rep. Christopher H. Smith (R-NJ), noted that, as Croatia’s transition moves forward, “it meets greater resistance from those who have become entrenched in, and enriched by, the power they hold. This

resistance manifests itself in two ways, the gross manipulation of the political system to the advantage of the ruling party, and the continued reliance on nationalist passions.”

The death of Croatian President Franjo Tudjman early in December may have, however, diminished the ability of the HDZ rank-and-file to manipulate the results and get away with it. His incapacitation, in fact, had provoked a constitutional crisis that caused the elections to be postponed from the original date of December 22, 1999.

On election day, the transparency of the electoral system, including widespread observation by civic organizations and political parties, combined with such a strong desire for change that the will of the people could not be distorted. For example, voter turnout was exceptionally high at 78 percent despite the timing of the election. The performance of polling committees was professional requiring only eleven of 6,500 polling stations to hold reruns. In contrast, the electoral practices in the “diaspora” vote that was held in the 29 polling stations in neighboring Bosnia-Herzegovina were poor; the turnout was incredibly high.

The overall result was a clear victory for the leading opposition coalition of the Social Democratic Party of Iвица Račan and the Croatian Social Liberal Party of Drazen Budisa, which won 71 of the 151 seats in the Chamber of Deputies. A second coalition of the four remaining opposition parties also did well, winning 24 seats, and was invited into government with Račan as Prime Minister. The HDZ, which had ruled Croatia since 1990,

won only 46 seats. The party, which has been more appropriately characterized as a mass movement whose time has passed, is likely to split according to its moderate and nationalist factions, with leaders within each group competing further for control over party affairs.

Meanwhile, in elections held for a new President of the Republic, the four-coalition candidate, former Yugoslav President and HDZ official Stipe Mesic, defeated Budisa in a second round vote on February 7. Mesic began in third place—following Budisa and the former Foreign Minister, Mate Granic, running as the candidate of the HDZ—in a nine-candidate first round on January 24. Both Mesic and Budisa presented views along the lines of Racan regarding a more democratic political system with diminished power for the presidency, greater cooperation with the international tribunal in The Hague prosecuting war crimes, and progress in Dayton implementation in Bosnia-Herzegovina as well as the return of Croatia's own displaced Serb population. The administration of the presidential election was indicative of further improvement, according to OSCE Election Mission statements, although continued irregularities in voting in Bosnia-Herzegovina in the first round led to the replacement of 18 voting committees before the second round two weeks later. As far as the conduct of the elections, the chief flaw is the remnant HDZ practice of minimizing minority representation—especially that of the Serb community—while empowering that of the “diaspora,” which sways the loyalties of ethnic Croat citizens of neighboring Bosnia-Herzegovina. □

## Commission initiative on combating corruption advanced

*by Marlene Kaufmann*

Commission Ranking Member, Rep. Steny H. Hoyer (D-MD), who serves as a Vice-President of the OSCE Parliamentary Assembly, represented the U.S. delegation at the meeting of the Assembly's Standing Committee held in Vienna, Austria, January 13-14, 2000.

Composed of the officers of the Assembly and the Heads of all delegations, the Standing Committee meets annually in Vienna, Austria so that the parliamentarians can engage directly with the leadership of the OSCE, review the work of the Assembly, and make final preparations for the Annual Session of the Assembly which is held in July. The Assembly is scheduled to meet in Bucharest, Romania July 6-10. Selection of the theme to be addressed during the Annual Session is an important part of this preparation.

Chairman Christopher H. Smith and Co-Chairman Ben Nighthorse Campbell, who co-led the U.S. delegation to the 1999 Annual Assembly in St. Petersburg, Russia, along with Reps. Hoyer and Hastings sent a joint letter to the Heads of all delegations meeting in Vienna and urged them to make combating corruption and promoting good governance a major focus of the Assembly's work in 2000. The members emphasized that the corrosive impact of corruption undermines the process of building, consolidating and strengthening democracy and the rule of law while distorting moves toward the establishment of genuine market economies. This attack on the core principles of the OSCE has direct implications for parliamentary democracy. □

After discussion of several alternative themes, the Standing Committee adopted the language suggested by the U.S. delegation as its topic for the Bucharest Assembly—“OSCE Challenges in the Twenty-First Century, Good Governance: Strengthening Democratic institutions, promoting transparency, enforcing the Rule of Law and Combating Corruption.” The comprehensive nature and membership of the OSCE Parliamentary Assembly make it ideally suited to provide further leadership on this particularly timely and important topic. The Assembly's work in July will support the work of the OSCE in combating corruption and promoting the rule of law which was mandated by the Heads of State and Government at the November 1999 OSCE Summit in Istanbul.

In addition, the Standing Committee considered two resolutions—one regarding the situation in Belarus offered by the Ad Hoc Working Group on Belarus and a resolution calling for a negotiated settlement to the situation in Chechnya offered by Mr. Hoyer. The Committee adopts resolutions under a consensus minus one rule. Despite the fact that more than one country spoke against both resolutions, Mr. Hoyer called for a recorded vote to indicate the views of all of the delegations on these critical issues. But for the consensus minus one rule, both the resolution on Belarus and the Chechnya resolution would have passed overwhelmingly by identical votes of 22 to 4 with 4 abstentions.

Rep. Alcee Hastings (D-FL), Vice Chairman of the Parliamentary Assembly's Committee on Political Affairs and Security, also participated. □

## Romani human rights raised in Istanbul summit documents

by Erika B. Schlager

1999 capped off a decade of increasing Romani activism, reflected in the elevated profile given to Romani concerns in the Istanbul summit documents.

Roma remain one of the most vulnerable minorities in the OSCE region. They migrated from India to Europe in the early part of the last millennium and brought with them their own language (Romani, related to Hindi) and distinct cultural traditions. The name "Gypsy," which Roma are more commonly called in English-speaking countries, is a corruption of the word "Egyptian," reflecting a mistaken belief that Roma had come from Egypt. Many Roma reject "Gypsy" as pejorative and prefer, instead, "Roma" (a term of self-ascription from the Romani language).

There are Romani minorities in virtually every OSCE participating State, including an estimated one million in the United States, but they are concentrated in Central and Southern Europe. Romani history in Europe has been characterized by severe repression, including enslavement in Romania and Moldova and efforts to assimilate them forcibly. During the Holocaust, Roma were targeted by the Nazis for extermination.

Since 1990, Roma have become the targets of racially motivated violence in a number of post-communist countries, as well as some other countries such as Italy. The absence of legislation to protect Roma or other minority groups from discrimination in the workplace, public places, education, housing, and the military often leaves Roma without legal recourse

in many OSCE countries. The outbreak of deadly attacks against Roma in Kosovo drew international attention to their plight in 1999, as did the construction of a wall in the Czech city of Usti nad Labem designed to segregate Roma from non-Roma residents.

Although Romani non-governmental organizations (NGOs) are, compared with many older human rights organizations, relatively inexperienced, the circumstances they face have forced them to become increasingly organized and active. The wall in Usti, for example, spurred a transnational, organized protest by Romani organizations from across Europe.

The first OSCE acknowledgment of problems of Roma appeared in the 1990 Copenhagen Document. There were also references to Roma in OSCE documents adopted in 1991, 1992, 1994, and 1998. In May 1999, the OSCE appointed Nicolae Gheorghe to serve as a senior advisor on Romani issues at the Warsaw-based Office of Democratic Institutions and Human Rights (ODIHR). In addition, the High Commissioner on National Minorities is expected to release a detailed report on Romani issues in early 2000; a summary of his preliminary recommendations, released in September 1999, is available at: [www.osce.org/inst/hcnm/index](http://www.osce.org/inst/hcnm/index). The High Commissioner, in his capacity as Chair of the Southeast European Stability Pact's Working Table on Democracy and Human Rights, has also established a Human Rights and Ethnic Minorities Task

Force to investigate measures to safeguard the rights of Roma.

Not all of the OSCE's efforts to address Romani issues have been praised by the putative beneficiaries. At an OSCE meeting on Romani human rights held in Vienna in September 1999, for example, one Romani activist complained about the 1998 Oslo ministerial document's "classification of] the entire Sinti and Roma population in Europe as an 'integration problem.' . . . in the Central Council's [of German Sinti and Roma] view, the OSCE Ministerial Council would not characterize any other minority in Europe like this."

In Istanbul, summit leaders gave increased priority to Romani human rights issues (see excerpts below). Several elements of the texts are noteworthy. First, the Heads of State and Government deplored the "violence and other manifestations of racism" against Roma. This is the first OSCE document to recognize so explicitly that Roma have been the targets of violent racially motivated crimes. "Other manifestations of racism" can also certainly be read as a condemnation of the wall in Usti nad Labem.

Second, the leaders underscored the need to achieve equality of opportunity for Roma and to eradicate discrimination against them. To this end, they will promote the adoption of anti-discrimination legislation. This is consistent with recommendations of the European Union to five of the ten applicant countries (Bulgaria, the Czech Republic, Hungary, Romania, and Slovakia). Each of these coun-

## Excerpts from the documents adopted in Istanbul, November 19, 1999, by the OSCE Heads of State and Government:

tries currently lacks comprehensive anti-discrimination legislation that would protect Roma and other minorities and each has been advised that the situation of the Roma minority must be improved as a condition for EU membership.

Finally, although the summit leaders noted that the OSCE Contact Point for Roma and Sinti Issues and the High Commissioner on National Minorities can support these efforts, they also stated that these issues are primarily a responsibility of the OSCE States concerned. This language counters the assertions of some government officials who have tried to pass off responsibility for addressing Romani concerns to international organizations such as the OSCE, the EU, or the Council of Europe.

Although the Istanbul Summit documents elevate the consideration of Romani human rights issues, they fell short of meeting one of the objectives of a number of human rights NGOs. Several groups have argued that, for the purpose of national and international norms, Roma should be considered under the rubric of “national minorities.” Although a number of countries (e.g., Hungary) have taken this step, others have not. During the negotiations in Istanbul, the United States proposed several formulations that would have placed Roma and national minorities on equal footing, including a suggested reference to “national minorities, including Roma,” but consensus was not reached on any of this language. □

### **OSCE CHARTER FOR EUROPEAN SECURITY**

20. We recognize the particular difficulties faced by Roma and Sinti and the need to undertake effective measures in order to achieve full equality of opportunity, consistent with OSCE commitments, for persons belonging to Roma and Sinti. We will reinforce our efforts to ensure that Roma and Sinti are able to play a full and equal part in our societies, and to eradicate discrimination against them.

### **ISTANBUL SUMMIT DECLARATION**

31. We deplore violence and other manifestations of racism and discrimination against minorities, including the Roma and Sinti. We commit ourselves to ensure that laws and policies fully respect the rights of Roma and Sinti and, where necessary, to promote anti-discrimination legislation to this effect. We underline the importance of careful attention to the problems of the social exclusion of Roma and Sinti. These issues are primarily a responsibility of the participating States concerned. We emphasize the important role that the ODIHR Contact Point for Roma and Sinti issues can play in providing support. A further helpful step might be the elaboration by the Contact Point of an action plan of targeted activities, drawn up in co-operation with the High Commissioner on National Minorities and others active in this field, notably the Council of Europe.

# Commission on Security and Cooperation in Europe

234 Ford House Office Building  
Washington, DC 20515-6460  
E-mail address: [csce@mail.house.gov](mailto:csce@mail.house.gov)  
Internet Web Site: <http://www.house.gov/csce/>

## Commissioners

Rep. Christopher H. Smith, *New Jersey*, Chairman

Sen. Ben Nighthorse Campbell, *Colorado*, Co-Chairman

### U.S. House of Representatives

Frank R. Wolf, *Virginia*  
Matt Salmon, *Arizona*  
James C. Greenwood, *Pennsylvania*  
Joseph R. Pitts, *Pennsylvania*  
Steny H. Hoyer, *Maryland*  
Benjamin L. Cardin, *Maryland*  
Louise McIntosh Slaughter, *New York*  
Michael P. Forbes, *New York*

### U.S. Senate

Kay Bailey Hutchison, *Texas*  
Spencer Abraham, *Michigan*  
Sam Brownback, *Kansas*  
Tim Hutchinson, *Arkansas*  
Frank R. Lautenberg, *New Jersey*  
Bob Graham, *Florida*  
Russell D. Feingold, *Wisconsin*  
Christopher J. Dodd, *Connecticut*

### Executive Branch

Harold Hongju Koh, Department of State  
Dr. Edward L. Warner III, Department of Defense  
Patrick A. Mulloy, Department of Commerce

### Commission Staff

Dorothy Douglas Taft, *Chief of Staff*  
Ronald J. McNamara, *Deputy Chief of Staff*  
  
Elizabeth M. Campbell, *Office Administrator*  
Orest Deychakiwsky, *Staff Advisor*  
John F. Finerty, *Staff Advisor*  
Chadwick R. Gore, *Communications Director, Digest Editor*  
Robert Hand, *Staff Advisor*  
Janice Helwig, *Staff Advisor*  
Marlene Kaufmann, *Counsel for International Trade*  
Karen S. Lord, *Counsel for Freedom of Religion*  
Michele Madasz, *Staff Assistant/Systems Administrator*  
Michael J. Ochs, *Staff Advisor*  
Erika B. Schlager, *Counsel for International Law*  
Maureen T. Walsh, *Counsel*

---

COMMISSION ON  
SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC 20515-6460  
OFFICIAL BUSINESS



M.C.

